

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for the United States of America  
By: REBECCA C. MARTIN  
JEAN-DAVID BARNEA  
Assistant United States Attorneys  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel. No.: (212) 637-2714/2679

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES and NEW YORK STATE *ex rel.*  
INTEGRITY ADVOCATES LLC,

Plaintiffs,

vs.

COMPREHENSIVE ANESTHESIA SPECIALISTS,  
P.C. ("CAS"); AMBULATORY VASCULAR CARE  
MANAGEMENT, LLC; AV CARE CENTERS;  
RICHARD J. HARRIS; ACQUISTA AND MATTOO  
MEDICAL ASSOCIATES, PLLC; MATTOO BHAT  
MEDICAL ASSOCIATES, P.C.; and DR. FENG QIN,

Defendants.

No. 12 Civ. 2327 (LLS)

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

vs.

MATTOO & BHAT MEDICAL ASSOCIATES, P.C.,  
and DR. FENG QIN,

Defendants.

**STIPULATION AND ORDER OF SETTLEMENT AND RELEASE**

This Stipulation and Order of Settlement and Release (the "Relator Release Stipulation")

is entered into by and among the United States of America, by its attorney Preet Bharara, United States Attorney for the Southern District of New York (the "United States"), and Relator Integrity Advocates LLC ("Relator") (and together with the United States, "the Parties"), through their authorized representatives.

#### RECITALS

WHEREAS, on March 23, 2012, Relator filed a *qui tam* complaint in the above-captioned action in the United States District Court for the Southern District of New York, pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b) (the "Civil Action");

WHEREAS, Relator is a limited-liability corporation whose members are Larry Lee, M.D.; Damion Sanchez, M.D.; and Xavier Vicioso, M.D.;

WHEREAS, the United States intervened in the Civil Action on April \_\_, 2015, and filed a complaint (the "United States Complaint") against Defendants Mattoo & Bhat Medical Associates, P.C. ("MBPC"), and Feng Qin, M.D. ("Dr. Qin," and together with MBPC, "Defendants");

WHEREAS, the United States and the Defendants are entering into two separate Stipulations and Orders of Settlement (the "MBPC Stipulation" and the "Qin Stipulation") simultaneously with the Relator Release Stipulation, to settle the United States' civil claims against Defendants for the conduct alleged in the United States Complaint;

WHEREAS, pursuant to Paragraph 2 of the MBPC Stipulation, MBPC will pay the United States the sum of one million dollars (\$1,000,000) (the "MBPC Settlement Amount") within thirty days of the entry of the MBPC Stipulation;

WHEREAS, pursuant to Paragraph 2 of the Qin Stipulation, Dr. Qin will pay the United States the sum of one hundred fifty thousand dollars (\$150,000) (the "Qin Settlement Amount, and together with the MBPC Settlement Amount, the "Settlement Amounts") within thirty days of the entry of the Qin Stipulation;

WHEREAS, Relator has asserted that, pursuant to 31 U.S.C. § 3730(d)(1), it is entitled to receive a portion of the Settlement Amounts (the "Relator's Claim"); and

WHEREAS, the Parties hereto mutually desire to reach a full and final compromise of the Relator's Claim against the United States for a portion of the Settlement Amounts pursuant to the terms set forth below.

NOW, THEREFORE, in reliance on the representations contained herein and in consideration of the mutual promises, covenants, and obligations in this Relator Release Stipulation, and for good and valuable consideration, receipt of which is hereby acknowledged, the Parties agree as follows:

#### TERMS AND CONDITIONS

1. Contingent upon and following payment by Defendants pursuant to the terms of the MBPC and Qin Stipulations, the United States will pay Relator c/o its attorney Paul E. Knag, Esq., a total of two hundred fifty-three thousand dollars (\$253,000) (the "Relator's Share") from the Settlement Amounts according to written instructions provided by Relator's counsel, Paul E. Knag, Esq., as follows:

- a. Contingent upon the United States' receipt of payment by MBPC as provided in Paragraph 2 of the MBPC Stipulation, the United States will pay Relator two hundred twenty thousand dollars (\$220,000.00) within a reasonable time following the United States' receipt of such payment.

- b. Contingent upon the United States' receipt of payment by Dr. Qin as provided in Paragraph 2 of the Qin Stipulation, the United States will pay Relator thirty-three thousand dollars (\$33,000.00) within a reasonable time following the United States' receipt of such payment

2. In agreeing to accept payment of the Relator's Share, and upon payment thereof, Relator, for itself and its members, successors, attorneys, agents, and assigns, will release and will be deemed to have released and forever discharged the United States, its officers, agents, and employees from any claims pursuant to 31 U.S.C. § 3730 and for a share of the Settlement Amounts, and from any claims against the United States arising from or relating to the filing of the Civil Action and the United States Complaint.

3. This Relator Release Stipulation does not resolve or in any manner affect any claims the United States has or may have against the Relator arising under Title 26, U.S. Code (Internal Revenue Code), or any claims arising under this Relator Release Stipulation.

4. This Relator Release Stipulation shall be binding only on the Parties, their members, successors, assigns, and heirs.

5. This Relator Release Stipulation shall become final, binding, and effective only upon entry by the Court.

6. This Relator Release Stipulation may not be changed, altered or modified, except in writing signed by the United States and the Relator.

7. This Relator Release Stipulation shall be governed by the laws of the United States. The Parties agree that the exclusive jurisdiction and venue for any dispute arising under this Relator Release Stipulation shall be the United States District Court for the Southern District of New York.

8. This Relator Release Stipulation may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

**THE UNITED STATES OF AMERICA**

Dated: New York, New York  
April 30, 2015

PREET BHARARA  
United States Attorney for the  
Southern District of New York

By: \_\_\_\_\_



REBECCA C. MARTIN  
JEAN-DAVID BARNEA  
Assistant United States Attorneys  
86 Chambers Street, Third Floor  
New York, New York 10007  
Telephone: (212) 637-2714/2679  
Facsimile: (212) 637-2717

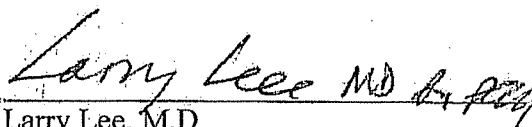
*Attorney for the United States*

**RELATOR**

Dated: \_\_\_\_\_  
April \_\_, 2015

\_\_\_\_\_  
Integrity Advocates LLC  
By:

Dated: \_\_\_\_\_  
April \_\_, 2015

  
Larry Lee, M.D.

Dated: \_\_\_\_\_  
April \_\_, 2015

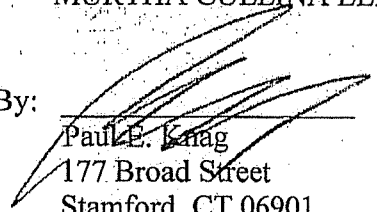
\_\_\_\_\_  
Damion Sanchez, M.D.

Dated: \_\_\_\_\_  
April \_\_, 2015

\_\_\_\_\_  
Xavier Vicioso, M.D.

Dated: Stamford, Connecticut  
April \_\_, 2015

MURTHA CULLINA LLP

By:   
Paul E. Knag  
177 Broad Street  
Stamford, CT 06901  
Tel.: (203) 653-5407  
Fax: (860) 240-5711  
Email: pknag@murthalaw.com

**RELATOR**

Dated: \_\_\_\_\_  
April \_\_, 2015

\_\_\_\_\_  
Integrity Advocates LLC  
By:

Dated: \_\_\_\_\_  
April \_\_, 2015

\_\_\_\_\_  
Larry Lee, M.D.

Dated: \_\_\_\_\_  
April 29 2015



\_\_\_\_\_  
Damion Sanchez, M.D.

Dated: \_\_\_\_\_  
April \_\_, 2015

\_\_\_\_\_  
Xavier Vicioso, M.D.

Dated: Stamford, Connecticut  
April \_\_, 2015

**MURTHA CULLINA LLP**

By: \_\_\_\_\_  
Paul E. Knag  
177 Broad Street  
Stamford, CT 06901  
Tel.: (203) 653-5407  
Fax: (860) 240-5711  
Email: [pknag@murthalaw.com](mailto:pknag@murthalaw.com)



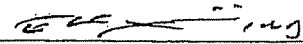
REBECCA C. MARTIN  
JEAN-DAVID BARNEA  
Assistant United States Attorneys  
86 Chambers Street, Third Floor  
New York, New York 10007  
Telephone: (212) 637-2714/2679  
Facsimile: (212) 637-2717

*Attorney for the United States*

**RELATOR**

Dated: \_\_\_\_\_

April 30 2015

  
\_\_\_\_\_  
Integrity Advocates LLC

By: EDWINA X. VICIOSO, MD

Dated: \_\_\_\_\_

April \_\_, 2015

\_\_\_\_\_  
Larry Lee, M.D.

Dated: \_\_\_\_\_

April \_\_, 2015

\_\_\_\_\_  
Damion Sanchez, M.D.

Dated: \_\_\_\_\_

April 30 2015

ELIXIR, LLC  
Xavier Vicioso, M.D.

Dated: Stamford, Connecticut  
April \_\_, 2015

MURTHA CULLINA LLP

By: \_\_\_\_\_  
Paul E. Knag

177 Broad Street

Stamford, CT 06901

Tel.: (203) 653-5407

Fax: (860) 240-5711

Email: [pknag@murthalaw.com](mailto:pknag@murthalaw.com)

SO ORDERED:

Louis L. Stanton  
The Honorable Louis L. Stanton  
United States District Judge

Dated: May 1, 2015